

Applicants : Curtis A. Trudeau et al
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REMARKS

Applicants respectfully request reconsideration of the above-identified patent application. Claims 1-27 are pending, and claims 1-2, 4, 7, 9, 17-18 and 20 are amended. Applicants respectfully traverse the objections and rejections as conceivably applied to the pending claims.

I. Allowable Subject Matter

Applicants thank Examiner Brown for the statement that claims 11-16 and 23-27 are allowed, and that claims 2-4, 18 and 20 would be allowable if rewritten in independent form including the limitations of the base claim and intervening claims. Applicants have included the limitations of claim 1 in claims 2 and 4, and, accordingly, inferentially into claim 3 which depends from claim 2. Applicants note, however, that claims 2 and 4 now recite a plurality of suspension elements rather than at least four suspension elements. Applicants also have included the limitations of claim 17 in claims 18 and 20, and the limitations of claim 19 in claim 20.

In view of the above, it is respectfully submitted that the objections to claims 2-4, 18 and 20 are overcome and should be withdrawn.

II. Art Rejections Based on Hiruma

As previously presented, claims 1, 5-10, 17, 19, 21, and 22 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 3,917,295 to Hiruma (“Hiruma”).

Hiruma discloses a leveling system that compensates for roll and pitch. The system operates by filling or emptying the appropriate hydraulic adjustors 24 via leveling valves 40 to compensate for the roll or pitch of the vehicle, and thereby leveling the vehicle to the road surface (Col. 2, Ln. 62 through Col. 3, Ln. 2). As is clearly evident, the Hiruma adjustors 24

(which do the leveling) are *separate* components from the air springs 32 which act as shock absorbers (Col. 2, Lns. 52-56).

Applicants respectfully submit that Hiruma does not anticipate amended independent claims 1, 7 or 17 because Hiruma fails to disclose, teach or suggest: (a) automatically adjusting at least one air spring to alter a distance between a vehicle axle and a vehicle frame element (claim 1); (b) a controller that is enabled to automatically adjust, via at least one of inflation and deflation, the at least one of the air springs via the electronic ride height control system based on the leveling instructions (claim 7); or (c) adjusting the orientation of the vehicle by at least one of inflating and deflating at least one air spring mounted on the vehicle (claim 17). In contrast, the Hiruma system requires an additional adjuster/leveler component—separate from the air springs—to perform any leveling adjustments.

Accordingly, Applicants respectfully submit that amended independent claims 1, 7 and 17 are allowable.

Claims 5-6 depend from amended independent claim 1; claims 8-10 depend from amended independent claim 7; and claims 19, 21 and 22 depend from amended independent claim 17; and these dependent claims are therefore allowable for at least the reasons noted above in connection with the respective amended independent claims.

CONCLUSION

In view of the above Amendments and Remarks, it is respectfully submitted that the application is in condition for allowance. A notice to that effect is earnestly and respectfully

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solicited. If the Examiner believes that it would be helpful to resolve any outstanding issues, he is invited to contact the undersigned.

Respectfully submitted,

CURTIS A. TRUDEAU ET AL

By: Warner Norcross & Judd LLP

/Gregory P. Bondarenko/

Gregory P. Bondarenko
Registration No. 44,547
900 Fifth Third Center
111 Lyon Street, N.W.
Grand Rapids, MI 49503-2487
(616) 752-2420

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